

SEC. 23. The board of any drainage district proceeding under this act shall, on or before the first day of November of each year, make an estimate of the costs reasonably anticipated to be required.

Financial estimate by board, when.

SEC. 24. The rights, powers and duties granted and imposed by this act are supplemental and in addition to any existing rights, powers and duties of drainage districts established under this title.

Act supplemental.

SEC. 25. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Severability.

Passed the House February 11, 1961.

Passed the Senate March 3, 1961.

Approved by the Governor March 16, 1961.

## CHAPTER 132.

[ H. B. 217. ]

### STATE TEACHERS' RETIREMENT SYSTEM.

AN ACT relating to the Washington State Teachers' Retirement System; and amending section 24, chapter 80, Laws of 1947, as amended by section 7, chapter 274, Laws of 1955 and RCW 41.32.240; amending section 26, chapter 80, Laws of 1947, as amended by section 8, chapter 274, Laws of 1955 and RCW 41.32.260; amending section 34, chapter 80, Laws of 1947, as amended by section 15, chapter 274, Laws of 1955 and RCW 41.32.340; amending section 30, chapter 80, Laws of 1947, as last amended by section 11, chapter 274, Laws of 1955, and RCW 41.32.300; amending section 55, chapter 80, Laws of 1947, as last amended by section 2, chapter 37, Laws of 1959 and RCW 41.32.550; amending section 59, chapter 80, Laws of 1947 and RCW 41.32.590; adding a new section to chapter 41.32 RCW; and providing an effective date.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 24, chapter 80, Laws of 1947 as amended by section 7, chapter 274, Laws of 1955

RCW 41.32.240 amended.

and RCW 41.32.240 are each amended to read as follows:

Membership in system—Procedure when exempted person desires membership.

All teachers employed full time in the public schools shall be members of the system except those who have previously exempted themselves from membership. A teacher shall be considered as employed full time if serving regularly for four-fifths or more of a school day or if assigned to duties which are the equivalent of four-fifths or more of a full-time assignment. If an exempted teacher desires membership he must file with the board of trustees a written request, duly executed, that his exemption certificate be canceled, present proof of service, and make the necessary payment before June 30, 1957; or, if not employed when this act (chapter 274, Laws of 1955) takes effect, before June 30th of the second school year after he reenters public school service. All service rendered in this state subsequent to his exemption from membership must be established by proper proof and paid for, with interest at three percent, upon the same basis as he would have paid had he been a member during the period covered by his exemption. Twenty percent of the total amount due must be paid before membership can be established. Payment of the remainder, including interest, must be completed before June 30th of the fourth school year following that in which membership was established.

RCW 41.32.260 amended.

SEC. 2. Section 26, chapter 80, Laws of 1947, as last amended by section 8, chapter 274, Laws of 1955 and RCW 41.32.260 are each amended to read as follows:

Credit for military service—Limitation.

Any member whose public school service is interrupted by active service to the United States as a member of its military, naval or air service, or to the state of Washington, as a member of the legislature, may upon becoming reemployed in the public schools, receive credit for such service upon pre-

senting satisfactory proof, and contributing to the annuity fund, either in a lump sum or installments, such amounts as shall be determined by the board of trustees: *Provided*, That no such military service credit in excess of five years shall be established or reestablished after July 1, 1961, unless the service was actually rendered during time of war.

SEC. 3. Section 34, chapter 80, Laws of 1947, as last amended by section 15, chapter 274, Laws of 1955 and RCW 41.32.340 are each amended to read follows:

RCW 41.32.340  
amended.

Creditable service of a member at retirement shall consist of the membership service rendered by him for which credit has been allowed, and also, if he has a prior service certificate that is in full force and effect, the amount of the service certified on his prior service certificate. No pension payments shall be made for service credits established or reestablished after July 1, 1955, if such credits entitle the member to retirement benefits from any other public state or local retirement system or fund. No pension payments shall be made for service credits established or reestablished after July 1, 1961, if such credits entitle the member to retirement benefits from a public federal retirement system or fund for services rendered under a civilian program.

Creditable  
service, what  
to consist of.

SEC. 4. Section 55, chapter 80, Laws of 1947, as last amended by section 2, chapter 37, Laws of 1959 and RCW 41.32.550 are each amended to read as follows:

RCW 41.32.550  
amended.

Should the board determine from the report of the medical director at the end of a two year disability period that a member's disability will continue, a member who had fifteen years or more of service credit when first granted the temporary disability allowance shall have the option of then receiving all accumulated contributions in a lump sum payment and canceling his membership, or of

Disability  
allowance—  
Permanent.

accepting a retirement allowance because of disability. If the member elects to receive a retirement allowance because of disability he shall be paid the maximum annuity which shall be the actuarial equivalent of his accumulated contributions at his age of retirement and a pension of four dollars per month for each year of creditable service established, not to exceed thirty-five years of creditable service, but in no event shall the total allowance for disability be less than seventy-five dollars per month. If the member dies before he has received in annuity payments the present value of his accumulated contributions at the time of his retirement, the unpaid balance shall be paid to his estate or to such persons as he shall have nominated by written designation executed and filed with the board of trustees.

RCW 41.32.590 amended.

SEC. 5. Section 59, chapter 80, Laws of 1947 and RCW 41.32.590 are each amended to read as follows:

Benefits non-assignable, nontaxable, etc.

The right of a person to a pension, an annuity, a retirement allowance, or disability allowance, to the return of contributions, any optional benefit or death benefit, any other right accrued or accruing to any person under the provisions of this chapter and the moneys in the various funds created by this chapter shall be unassignable and are hereby exempt from any state, county, municipal or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever.

New section.

SEC. 6. A new section is added to chapter 41.32 RCW to read as follows:

Minimum disability benefits set.

Any former member of the retirement system or a former fund receiving a disability retirement allowance on July 1, 1961, shall in lieu of all allowances provided by any former law receive a disability retirement allowance of four dollars per month for each year of creditable service established, not

to exceed thirty-five years of creditable service, but in no event shall the total allowance for disability be less than seventy-five dollars per month.

SEC. 7. Section 30, chapter 80, Laws of 1947, as last amended by section 11, chapter 274, Laws of 1955 and RCW 41.32.300 are each amended to read as follows:

RCW 41.32.300  
amended.

Henceforth a total of not more than four years of service outside of the state shall be credited to a member who establishes or reestablishes credit for out-of-state public school employment in this state subsequent to July 1, 1961. Foreign school teaching service, if paid for by public funds of the United States of America, shall be creditable as out-of-state service. No member who establishes out-of-state service credit after July 1, 1947, shall at retirement for pension payment purposes be allowed credit for out-of-state service in excess of the number of years credit which he shall have earned in the public schools of the state of Washington.

Limitation on  
credit for  
out-of-state  
service.

SEC. 8. The provisions of this act shall be effective July 1, 1961.

Effective  
date.

Passed the House March 4, 1961.

Passed the Senate March 3, 1961.

Approved by the Governor March 16, 1961.